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Subject: Model Adjudication Rule 170

Body: Rule 170 has the unintended consequence of limiting the adjudicators' options when an oral motion has been made. The rule only allows for 2 courses of action when an oral motion is made: the adjudicator may either rule immediately on the motion after a response is given, or, may direct that a written motion be filed and written response be submitted. Under rule 170, the adjudicator may not take the option to reserve ruling, after response to an oral motion, for further reflection and research without the parties having to submit written documents. While clearly this and other options may be available to the adjudicator, the rule is sufficiently overly restrictive to cause confusion and should be clarified to allow any reasonable options within the adjudicator's authority to with hold ruling immediately but still not requiring written motion and response.
Agree to Privacy policy: 1

Subject: MAR definitions

Body: The rules except from coverage all 'inquisitorial hearings' which most presume to refer to hearings for the Social Security Administration. This term is not defined in the definitions sections. There are many agencies that are somewhat of a hybrid. Aspects of both an inquisitorial hearing and an adjudication which is defined. Perhaps the committee should more clearly define which hearings are not covered by these rules, as the definition given is vague.
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